

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- November 29, 1972

Application No. 11238 Rogers Memorial Hospital, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried unanimously, the following Order of the Board was entered at the meeting of January 23, 1973.

EFFECTIVE DATE OF ORDER -- February 7, 1973

ORDERED:

That the application for permission to provide accessory parking for Rogers Memorial Hospital at 656 Massachusetts Avenue, and 220-232 7th Street, N.E., Lots 833, 839 including 855-857, 859, 860, 810, 812, 813, 27 31, 34, 46, 47, Square 865, be GRANTED.

FINDINGS OF FACT:

1. The subject lots involved in this application are located in an R-4 District, which is defined by the Zoning Regulations as an area of row dwellings and conversions.

2. The agent of Rogers Memorial Hospital testified at the public hearing that the hospital is currently negotiating the purchase of several lots which are included as a part of the application herein.

3. The property, at present, consists of unoccupied family dwellings and vacant lots.

4. It is the applicant's intent to construct accessory parking lots for the hospital to be used free of charge by physicians, employees, and visitors.

5. Applicant further notes that as of September, 1972, a major construction project commenced in order to renovate and expand the hospital facilities. The new facilities are being built on much of the existing parking area and much of what remains will be used for construction equipment.

6. Applicant testified that it is becoming more critical all the time that parking facilities be provided. The construction company is utilizing the existing parking for equipment and related purposes, and applicant will soon be building new facilities which will absorb more of the existing parking, and there is a potential adverse overflow of traffic under the neighboring streets.

7. Opposition was voiced at the public hearing which centered around the following:

FINDINGS OF FACT:

- (a) There would be increased traffic in the area.
- (b) There would be an increasing incidence of crime that may come about as a result of a parking lot.
- (c) There would be enviromental damage from the increased traffic in the neighborhood.
- (d) The resident homeowners, in opposition, expressed dissatisfaction with the possibility of their homes being displaced by applicant's parking lot.
- (e) Rogers Memorial Hospital did not consult with the immediate neighborhood before applying for a zoning variance, nor did they consult about the concerned future expansion.

"The residents in opposition are concerned with preserving the residential character of the neighborhood and a parking lot would have a detrimental effect on the community."

8. Testimony related to the Board that the community civic organizations and the applicant had reduced their intentions into a document entitled Memo-randum of Understanding.

9. The file reflects both support and opposition in the form of petitions.

10. The Department of Highways and Traffic submitted a report to the files in which they offered no objection to the application herein.

OPINION:

This is the second of two applications submitted to this Board requesting a special exception which would enable the hospital to locate accessory parking on lots other than the lot the main building is situated.

This Board has patiently listened to testimony from both the applicant and the persons in opposition from the neighborhood. We felt the obligation to hold this application in abeyance until all salient and crucial facts were elicited. It is our determination that we have accommodated both sides.

OPINION:

It is our considered opinion that applicant has endeavored to co-operate with the community in sharing knowledge of their future plans. The best evidence of this co-operation is the Memorandum of Understanding in which the Civic Associations and the applicant, worked together, over the last year, to arrive at a mutually acceptable modification of plans.

Rogers Memorial Hospital is a community facility, it is the only hospital available to the citizens in this particular section of the inner-city. The medical service rendered by the applicant is of vital importance to the community and without it the community would be hard pressed for any type of medical treatment. This Board is in complete accord with these efforts and commends both applicant and surrounding property owners.

It is our determination that the establishment of this accessory parking lot will not create any dangerous or otherwise objectionable traffic condition. The present character and future development of the neighborhood will not be adversely affected, and the lots are reasonably necessary and convenient to the main structure.

This Order shall be subject to the following conditions:

- a. Permit shall issue for a period of five (5) years but shall be subject to renewal in the discretion of the Board upon the filing of a new application in the manner prescribed by the Zoning Regulations.
- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped.

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g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.

h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

i. Use of this lot shall be restricted to private automobiles. No commercial vehicles or trucks.

j. Landscaping plans must be approved by the Department of Highways and Traffic.

Permit shall not issue until all conditions of this Order are met and complied with and further, the Board reserve the right to direct revocation of permit upon proper showing that any terms or conditions of this Order have been violated.

BY THE ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____

GEORGE A. GROGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.